

DONALD C. KUDLER, ESQ.
Nevada Bar No. 005041
CAP & KUDLER
3202 W. Charleston Boulevard
Las Vegas, Nevada 89102
(702) 878-8778
Attorney for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PHYLLOPS COOPER, individually,) CASE NO: 2:16-cv-01873-JCM-NJK

Plaintiff.

vs.

ALBERTSON'S LLC dba ALBERTSONS, INC. #6011, a Delaware Corporation; KELLERMAYER BERGENSONS SERVICES, LLC, a Delaware Corporation; ALEXAS CLEANING SERVICES, LLC, a Texas Corporation; DOES I through XXX; ROE CORPORATIONS I through XXX, inclusive.

Defendants.

ALBERTSONS, LLC, a Delaware limited liability company,

Cross-Claminant,

VS.

KELLERMEYER BERGENSONS
SERVICES, LLC, a Delaware limited
liability company; DOES I through X and
ROE CORPORATIONS I through X,
inclusive

Cross-Defendants

STIPULATION AND ORDER TO AMEND COMPLAINT

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, by and through their undersigned counsel of record, that Plaintiff's Complaint be amended to allow

1 ALEXAS CLEANING SERVICES, LLC, a Texas Corporation to be named as ALEXAS
2 CLEANING SERVICES, LLC, a Colorado Corporation in this action.

3 **IT IS FURTHER STIPULATED AND AGREED** that Defendant/Cross-Claimant,
4 Albertsons's LLC dba ALBERTSONS, INC. #6011, agreement to this stipulation does not waive
5 any defenses enumerated in its responsive pleading filed in this matter. In fact all defenses
6 contained in Defendant/Cross-Claimant's Answer remain viable and no admission and/or consent
7 whatsoever to the allegations and questions of law raised in the Amended Complaint and
8 specifically paragraph 6 are admitted to by Defendant/Cross-Claimant consenting to Plaintiff's
9 request to amend its complaint.

10 **IT IS FURTHER STIPULATED AND AGREED** that Defendant/Cross-Defendant,
11 Kellermeyer Bergensons Services, LLC, agreement to this stipulation does not waive any defenses
12 enumerated in its responsive pleading filed in this matter. In fact all defenses contained in
13 Defendant/Cross-Defendant's Answer remain viable and no admission and/or consent whatsoever
14 to the allegations and questions of law raised in the Amended Complaint and specifically
15 paragraph 6 are admitted to by Defendant/Cross-Defendant consenting to Plaintiff's request to
16 amend its complaint.

17 **IT IS FURTHER STIPULATED AND AGREED** that the caption be amended to reflect
18 ALEXAS CLEANING SERVICES, LLC, as a Colorado Corporation in this action.

19 DATED: 11/22/16

DATED: 11/22/16

20 CAP & KUDLER

MORAN BRANDON BENDAVID MORAN

21 */s/ Donald C. Kudler*

/s/ Lew Brandon, Jr.

22 DONALD C. KUDLER, ESQ.
23 Nevada Bar No. 5041
24 3202 W. Charleston Boulevard
25 Las Vegas, Nevada 89102
Attorneys for Plaintiff
Phyllis Cooper

LEW BRANDON, JR.5880, ESQ.
Nevada Bar No. 10049
KRIS D. KLINGENSMITH, ESQ.
Nevada Bar No. 13904
630 S. Fourth Street
Las Vegas, Nevada 89101
Attorneys for Defendant/Cross-Claimant
Albertsons, LLC dba Albertsons, Inc. #6011

1 DATED: 11/22/16

2 RESNICK & LOUIS, P.C.

3 /s/ *Bernadette A. Rigo*

4 BERNADETTE A. RIGO, ESQ.
5 Nevada Bar No. 7882
6 5940 S. Rainbow Boulevard
7 Las Vegas, Nevada 89118
Attorneys for Defendant/Cross-Defendant
Kellermeyer Bergensons Services, LLC

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11 **ORDER**

12 IT IS SO ORDERED.

13 DATED December 1, 2016.

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UNITED STATES DISTRICT JUDGE

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18 Submitted by:

19 CAP & KUDLER

20 /s/ *Donald C. Kudler*

21 DONALD C. KUDLER, ESQ.
22 Nevada Bar No. 5041
23 3202 W. Charleston Blvd.
24 Las Vegas, NV 89102
Attorneys for Plaintiff
Phyllis Cooper

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